

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Public Services - PR&RD Department – Sri K. Venkateswara Rao, formerly Deputy Executive Engineer, P.R. Division, Jagitial, Karimnagar District (Presently working in PR (PIU), Vemulawada, Karimnagar District) - Departmental proceedings under Rule 20 of Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991 – Articles of charge – Issued.

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PANCHAYAT RAJ & RURAL DEVELOPMENT (VIG.IA) DEPARTMENT

G.O.Rt.No. 1067

Date:21-07-2010.

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ORDER:

It is proposed to hold an enquiry against Sri K. Venkateswara Rao, formerly Deputy Executive Engineer, P.R. Division, Jagitial, Karimnagar District (Presently working in PR (PIU), Vemulawada, Karimnagar District) in accordance with the procedure laid down in Rule 20 of the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991.

2. The substance of the imputations of misconduct or misbehaviour in respect of which the enquiry is proposed to be held is set out in the enclosed statement of articles of charges (Annexure-I). A list of documents by which and a list of witnesses by whom, the articles of charge are proposed to be sustained are also enclosed (Annexure-II and III).

3. Sri K. Venkateswara Rao, formerly Deputy Executive Engineer, P.R. Division, Jagitial, Karimnagar District (Presently working in PR (PIU), Vemulawada, Karimnagar District) is directed to submit within (10) days of the receipt of this order, a written statement of his defence.

4. Sri K. Venkateswara Rao, formerly Deputy Executive Engineer, P.R. Division, Jagitial, Karimnagar District (Presently working in PR (PIU), Vemulawada, Karimnagar District) is informed that an enquiry will be held only in respect of those articles of charges as are not admitted. He should, therefore, specifically admit or deny each article of charge.

5. Sri K. Venkateswara Rao, formerly Deputy Executive Engineer, P.R. Division, Jagitial, Karimnagar District (Presently working in PR (PIU), Vemulawada, Karimnagar District) is further informed that if he does not submit his written statement of defence on or before the period specified in Para 3 above or otherwise fails or refuses to comply with the provisions of rule 20 of Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991 or the orders / directions issued in pursuance of the said rules, the Inquiring Authority may hold the inquiry against him ex parte.

6. Attention of Sri K. Venkateswara Rao, formerly Deputy Executive Engineer, P.R. Division, Jagitial, Karimnagar District (Presently working in PR (PIU), Vemulawada, Karimnagar District) is invited to Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964, under which no Government Servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interest in respect of matters pertaining to his service under the Government. If any representation is received on his behalf from another person in respect of any matter dealt within these proceedings, it will be presumed that Sri K. Venkateswara Rao, formerly Deputy Executive Engineer, P.R. Division, Jagitial, Karimnagar District (Presently working in PR (PIU), Vemulawada, Karimnagar District) is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of Rule-24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964.

7. The receipt of the Memorandum be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

M.V.P.C. SASTRY

SPECIAL CHIEF SECRETARY TO GOVERNMENT

To

Sri K. Venkateswara Rao, formerly Deputy Executive Engineer, P.R. Division, Jagitial, Karimnagar District (Presently working in PR (PIU), Vemulawada, Karimnagar District) through the Engineer-in-Chief, PR, Hyderabad.

The Engineer-in-Chief, PR, Hyderabad (in duplicate with a request to serve and return the dated acknowledgement copy).

Copy to: The PR&RD (Estt.III) Department.

//FORWARDED BY ORDER//

SECTION OFFICER

## ANNEXURE-I

### STATEMENT OF ARTICLES OF CHARGES FRAMED AGAINST SRI K. VENKATESWARA RAO, FORMERLY DEPUTY EXECUTIVE ENGINEER, P.R. DIVISION, JAGITIAL, KARIMNAGAR DISTRICT (PRESENTLY WORKING IN P.R. (PIU), VEMULAWADA, KARIMNAGAR DISTRICT)

#### CHARGE:

That the said Sri K. Venkateswara Rao, while he was working as Deputy Executive Engineer, P.R. Division, Jagitlal, has committed certain irregularities in execution of work "Road from Poodur to Surampet" in Kodimial (M).

- (a) He check measured the measurements and recommended for payment with ante dates to facilitate the contractor for price escalation claims, for want of personal gain.
- (b) Due to deficiency in B.T. and over size in Grade II metal layer, an amount of Rs.20,673/- (Rs. 15,599/- + Rs.5,074/-) needs recovery.

#### BASIS:

As verified by the Vigilance & Enforcement officials, the work "Road from Poodur to Surampet" was taken up under PMGSY Phase-IV for Rs.153.86 lakhs and entrusted to M/s. Vijaya Sree Constructions, Hanamkonda, for Rs.131.00 lakhs at (+) 4.97% excess over the estimate contract value (ECV) with completion date as 07.11.2006. Extension of Agreement Time was sanctioned up to 28.05.2007. The work was completed as on the date of inspection i.e. 04.07.2008.

As verified from the records L.SCC 6<sup>th</sup> to 9<sup>th</sup> part bills payments were released on 10.06.2007, 30.06.2007, 03.10.2007 and 21.02.2008 i.e. prior to the dates of recording measurements. The dates of recording measurements and bills passed are as follows:

BILL	DATE OF RECORDING	DATE OF BILL PASSED
VI & PART BILL WBM Gr.III OGPC + SC	25.01.2007 05.02.2007	05.06.2007 05.06.2007
VII & PART BILL WBM Gr.III OGPC + SC	05.03.2007 18.02.2007	28.06.2007 28.06.2007
VIII & PART BILL WBM & GR. III	05.04.2007	28.09.2007
IX & PART BILL OGPC + SC	25.01.2008	20.02.2008

As seen from the above, the measurements recorded up to i.e. 05.04.07, have been included in the Bill VIth and part bill only, which was passed on 05.06.2007 and paid on 10.06.2007. But subsequently three bills were paid for the measurements recorded prior to agreement completion date i.e. 28.05.2007 which shows that the measurements were recorded and check measured with back dates to facilitate price escalation claims for the contractor for benefits.

Even though measurements and check measurements were recorded within the Agreement period and there was no dearth of grants for PMGSY Programme, measurements were not incorporated in the immediate subsequent bills for payment.

In fact, the work should not be recorded in M.Book until the work is executed as per specifications and satisfied by the Engineer-in-charge. Also any rectifications shall be taken up by the concerned contractor at his cost within the defect liability period.

This clearly indicates that the Delinquent Officer check measured the work with ante dates to facilitate the contractor for benefits.

Further, as per the tests conducted in the presence of field officers, deficiency in B.T. in the reach from KM 13/0 to 14/0 and over size in Grade II metal layer in the reaches from KM 7/0 to 8/0, KM 9/0 to 10/0 & KM 13/0 to 14/0 and in Grade III metal layer in the reach KM 9/0 to 10/0, for which a total amount of Rs.20,673/- paid excess than the work actually executed resulting which the work was executed with less quality and the amount is to be recovered.

Hence, the charge.

M.V.P.C. SASTRY  
SPECIAL CHIEF SECRETARY TO GOVERNMENT

//FORWARDED BY ORDER//

SECTION OFFICER

ANNEXURE-II

LIST OF DOCUMENTS BY WHICH THE ARTICLES OF CHARGES FRAMED AGAINST SRI K. VENKATESWARA RAO, FORMERLY DEPUTY EXECUTIVE ENGINEER, P.R. DIVISION, JAGITAL, KARIMNAGAR DISTRICT (PRESENTLY WORKING IN P.R. (PIU), VEMULAWADA, KARIMNAGAR DISTRICT) ARE PROPOSED TO BE SUSTAINED

Vigilance Report No. 25(1520/V&E/E2/2007), Dt.: 22.03.2010 of the Director General, Genl. Admn. (V&E) Dept.

M.V.P.C. SASTRY  
SPECIAL CHIEF SECRETARY TO GOVERNMENT

//FORWARDED BY ORDER//

SECTION OFFICER

ANNEXURE-III

LIST OF WITNESSES BY WHOM THE ARTICLES OF CHARGES FRAMED AGAINST SRI K. VENKATESWARA RAO, FORMERLY DEPUTY EXECUTIVE ENGINEER, P.R. DIVISION, JAGITAL, KARIMNAGAR DISTRICT (PRESENTLY WORKING IN PR (PIU), VEMULAWADA, KARIMNAGAR DISTRICT) ARE PROPOSED TO BE SUSTAINED

- NIL -

M.V.P.C. SASTRY  
SPECIAL CHIEF SECRETARY TO GOVERNMENT

//FORWARDED BY ORDER//

SECTION OFFICER